

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s) Danette Andrea Dudley, et al			5712-01-CA
Serial No. 09/601,479	Filing Date 8/3/00	Examiner V. Balasubramanian	Group Art Unit 1624
Invention: QUINOLONES AS SERINE PROTEASE INHIBITORS			
FAX RECEIVED			
OCT 04 2001			
GROUP 1600			
#5 11 pages			
I hereby certify that this <u>Petition for Revival of An Application for Patent Abandoned Unintentionally</u> (Identify type of correspondence)			
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-308-4556</u> )			
on <u>October 3, 2001</u> (Date)			
<u>Cindy Malocha</u> (Typed or Printed Name of Person Signing Certificate)			
<u>Cindy Malocha</u> (Signature)			
Note: Each paper must have its own certificate of mailing.			

**Petition For Revival Of An Application For Patent Abandoned Unintentionally  
Under 37 CFR 1.137(b) (Large Entity)****Docket No.  
5712-01-CA**In Re Application Of: **Danette Andrea Dudley, et al.**Serial No.  
**09/601,479**Filing Date  
**8/3/00**Examiner  
**V. Balasubramanian**Group Art Unit  
**1624**Invention: **QUINOLONES AS SERINE PROTEASE INHIBITORS****ASSISTANT COMMISSIONER FOR PATENTS****Attention: Office of Petitions****Box DAC****Washington, D.C. 20231**

**NOTE:** If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified notice or action;

☒ is enclosed. ☒ was filed on March 12, 2001 (by fax)

The proposed reply is in the form of: Restriction Requirement

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on \_\_\_\_\_

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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**09/601,479****Filing Date**  
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**V. Balasubramanian****Group Art Unit**  
**1624**Invention: **QUINOLONES AS SERINE PROTEASE INHIBITORS****Calculation and Payment of Fees**

Enclosed are the following fees:

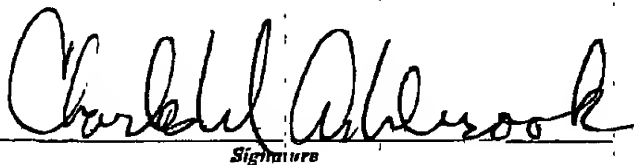
- |   |                             |
|---|-----------------------------|
| 6. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of:          | <u>\$1,280.00</u>           |
| 7. <input type="checkbox"/> Fee for amendment in the amount of:                                     | <u>                    </u> |
| 8. <input type="checkbox"/> Fee for extension of time to respond to Office Action in the amount of: | <u>                    </u> |
| 9. <input type="checkbox"/> Issue fee in the amount of:   | <u>                    </u> |
| 10. <input type="checkbox"/> Continuing application filing fee in the amount of:                    | <u>                    </u> |
| 11. <input type="checkbox"/> Terminal disclaimer fee in the amount of:                              | <u>                    </u> |
| 12. <input type="checkbox"/> _____  | <u>                    </u> |
| <b>Total fees enclosed: <u>\$1,280.00</u></b>   |                             |

The fee of **\$1,280** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 23-0455.
- A duplicate copy of this sheet is enclosed.

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V. Balasubramanian****Group Art Unit  
1624**Invention: **QUINOLONES AS SERINE PROTEASE INHIBITORS****Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

  
*Signature*Dated: **October 3, 2001****Charles W. Ashbrook  
Registration No. 27,610****Warner-Lambert Company  
2800 Plymouth Road  
Ann Arbor, MI 48105  
Tel. (734) 622-5215  
Fax (734) 622-1553**

I certify that this document and fee is being deposited  
on with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

*Signature of Person Mailing Correspondence**Typed or Printed Name of Person Mailing Correspondence*

cc:

PD-5712-01-CA

## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

APPLICANT : DANETTE A. DUDLEY, ET AL.

EXAMINER : V. BALA  
(BALASUBRAMANIAN)

SERIAL NO : 09/601,479

ART UNIT : 1624

FILED : AUGUST 3, 2000

PAPER NO : 5

FOR : QUINOLONES AS SERINE PROTEASE INHIBITORS

## PETITION TO REVIVE UNDER 37 CFR 1.137(b)

October 3, 2001

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The captioned application was filed on August 3, 2000. A requirement for restriction was issued in Paper No. 3, dated February 14, 2001. The period set for responding to the requirement for restriction was thirty (30) days (on or before March 14, 2001). By letter dated September 20, 2001, Applicants were advised that the application was abandoned because no reply to the requirement for restriction had been received. Applicants did in fact submit a timely response, and accordingly hereby petition the Director to revive the captioned application and to continue normal prosecution.

Applicants submitted a response to the restriction requirement set out in Paper No. 3 on March 12, 2001 (the due date was March 14, 2001). A true copy of the Response is enclosed herewith. The Response was faxed to the number given in Paper No. 3, namely (703) 308-4556. A copy of Applicants' confirmation sheet showing the response was transmitted on March 12, 2001, is also enclosed. Accordingly, a timely response to Paper No. 3 was in fact made, and the application was therefore improperly abandoned. Revival thereof is appropriate.

09/601,479

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and is requested. Payment for all fees necessitated by this petition is authorized from Deposit Account 23-0455.

Respectfully submitted,



Charles W. Ashbrook  
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Tel. (734) 622-5215  
Fax (734) 622-1553

Attachments - Response dated 3/12/01, confirmation sheet

CA1P4838.doc